UNITED STATES DISTRICT COURT Document 7 Died 10/30/2007 Page 1 of SOUTHERN DISTRICT OF NEW YORK

EDWIN MALDONADO,

Petitioner, : 07 Civ. 5735(RJH)(THK)

-against
JOHN BURGE, Superintendent

Respondent.:

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THEODORE H. KATZ, United States Magistrate Judge.

Respondent has advised the Court that he have never received a copy of the Petition and Order sent by the Court, which set a schedule for addressing the Petition. Therefore, the schedule is hereby amended:

ORDERED, that the Clerk shall serve, by certified mail, a copy of this Order and the Petition, Memorandum in support of petition and Exhibits in support of petition, herein upon the Attorney General of the State of New York and the District Attorney of the County of Bronx; and it is further

ORDERED, that Respondent serve and file an answer to the Petition by December 14, 2007; Respondent shall address the merits of the Petition and the satisfaction of any procedural prerequisites; the answer should be provided in hard copy as well as on a 3 ½ " x 5" diskette in a form compatible with WordPerfect 9; and it is further

ORDERED, that Respondent submit to this Court with its answer a copy of relevant portions of the state court record from the state actions(s) arising out of the conviction attacked herein, including, but not limited to, trial transcripts, sentencing minutes, trial court and appellate decisions, appellate briefs and post-trial motions and decisions; and it is further

ORDERED, that any reply by Petitioner to Respondent's submissions shall be filed and served by January 11, 2008.

SO ORDERED.

Theodore H. Katz

United States Magistrate Judge

Dated: October 30, 2007

New York, New York

Copies mailed this date to:

Richard M. Greenberg, Esq. Office of the Appellate Defender 11 Park Place, Suite 1601 New York, New York 10007